

Final Set 10/1/05 at 2pm

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-10202-RWZ
)	
SHELTON TERRY)	

JOINT SUBMISSION OF THE PARTIES UNDER LOCAL RULE 116.5(C)

Pursuant to Local Rule 116.5(C), the parties state as follows:

i. Outstanding Discovery Issues

The government has recently obtained the Grand Jury and detention hearing transcripts, and the Drug Enforcement Administration case agent report and will produce them. The government has taken steps to obtain turret tapes sought by the defendant and will produce them if, and when received. The government will also provide drug certificates of analysis for the suspected marijuana recovered in the case.

ii. Anticipated Additional Discovery

The parties are not aware of any discovery required to be produced pursuant to the Local Rules that has not already been produced or addressed by counsel. Should the parties become aware in future of any additional discovery that needs to be

disclosed, such discovery will be provided in accordance with the Local Rules.

iii. Defense of Insanity or Public Authority

The defendant has not indicated an intent to assert a defense of insanity or public authority.

iv. Notice of Alibi

The defendant has not indicated an intent to assert an alibi defense.

v. Dispositive Motions

The defendant has not yet decided if he will file any motions to dismiss, or suppress, or any other motion requiring a ruling by the District Court before trial.

vi. Scheduling

The parties are not aware of any issue requiring scheduling but request some additional time to continue efforts to resolve the case.

vii. Plea Negotiations

The parties do not expect that the matter will be resolved by a plea.

viii. Excludable Delay

The parties request that the period between this date and any additional conference be excluded from the Speedy Trial Clock, in the interests of justice.

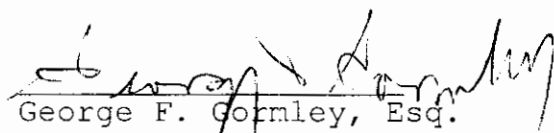
ix. Whether Trial is Anticipated; Length of Trial

If there is a trial in this matter, it will last approximately one week.

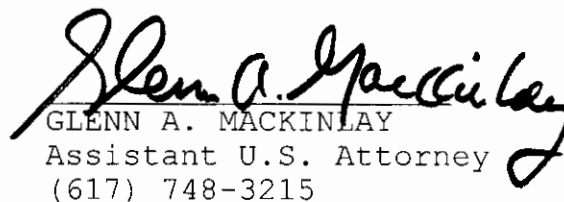
Respectfully submitted,

SHELTON TERRY
By his attorney,

MICHAEL J. SULLIVAN
United States Attorney


George F. Gornley, Esq.

By:


GLENN A. MACKINLAY
Assistant U.S. Attorney
(617) 748-3215

Date: September 26, 2005